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SUBJECT: BANGLADESH GOVERNMENT RESPONSE TO 2007 TIP REPORT:
THE WAY FORWARD

¶1. (SBU) SUMMARY. The Embassy briefed Home Ministry and police officials on the 2007 Trafficking in Persons report. Most of the discussion focused on how to track labor migration abuse cases. The government agreed to include representatives of the Foreign and Expatriate Workers ministries in future coordinating meetings, and would work with us to develop an action plan by end-August. END SUMMARY.

MEETING WITH GOVERNMENT'S ANTI-TIP COORDINATING GROUP
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¶2. (SBU) POLOFF and AID met with the Home Ministry's Anti-Trafficking Cell on July 23 to discuss the 2007 Trafficking in Persons (TIP) report. The Home Ministry was represented by Joint Secretary (Political) Mujibur Rahman, who spearheads the Ministry's anti-trafficking efforts. The Deputy Secretary, Abdur Rouf, and representatives from the Special Branch (Immigration) and Police were also in attendance. All are key Embassy interlocutors on anti-trafficking efforts.

NEW FOCUS ON LABOR ISSUES
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¶3. (SBU) The report's focus on labor was the main focus of discussion. We discussed the need to improve GOB's tracking of labor migration cases. This includes not only following administrative penalties and licenses revocations of so-called "travel agencies" or "recruitment agencies" which break the law, but also cases filed by police, eventual prosecutions, and sentences against labor migration violators.

¶4. (SBU) The GOB representatives expressed confusion over the different USG and United Nations definitions of trafficking, specifically with regard to labor. According to Home Ministry representatives, the cases they track now involve violations of the Women and Children's Protection Act. Because all cases are prosecuted under the same legislation, they have been able to provide specialized training to prosecutors and police. Also, it makes the cases easy to track since they all fall into the same category and have the same penalties attached, regardless of where in the country the case is prosecuted.

¶5. (SBU) Migrant labor issues fall primarily under the Expatriate Welfare Ministry, and are covered by different legislation. Furthermore, the existing TIP case-tracking framework was created specifically to monitor compliance with the Women and Children's Protection Act and could not simply be expanded to include other types of cases, like labor abuses. They said they would need to discuss the issue in an inter-agency meeting and try to come up with a solution that meets the TIP report's requirements.

LABOR CASES HARD TO PROSECUTE =====

¶6. (SBU) Another challenge for the authorities regarding labor abuses is the difficulty in putting together effective prosecutions. A police representative said the main problem in prosecuting cases against illicit recruitment companies is that recruitment companies almost always offer to refund workers' lost money in exchange for their agreement not to testify in court. For this reason, government efforts to compel witnesses to testify generally fail.

¶7. (SBU) Given the difficulty in prosecuting cases, usually the strongest penalties that can be meted out are seizure of assets, closure of companies, and de-licensing. These are handled by the Expatriate Welfare Ministry. Starting with the next coordination meeting, Expatriate Welfare representatives will be invited to attend, and the Home Ministry will request data from them on labor cases.

OTHER AREAS TO FOLLOW UP ON =====

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¶8. (SBU) POLOFF mentioned other concerns highlighted in the TIP report, in particular the lack of appropriate protections for witnesses and the GOB's lack of effort in protecting adult male victims of sex trafficking.

¶9. (SBU) The Home Ministry officials said they would raise witness protection within the anti-TIP inter-agency coordinating process. Regarding the issue of adult male victims, they cited the fact that their case tracking mechanism was built around enforcement of the Women and Children's Protection Act, which does not cover adult males. They said they would raise this at the inter-agency level as well.

FOREIGN MINISTRY TRAINING =====

¶10. (SBU) In separate meetings with the International Organization of Migration (IOM) and the Ministry of Foreign Affairs, POLOFF raised the issue of how Bangladesh's embassies could better assist victims of trafficking. He cited a recent report from Malaysia of workers who were trapped at the Kuala Lumpur airport, unable to enter the country because of incorrect paperwork yet unable to return to Bangladesh because they lacked return tickets. The Bangladesh Embassy became involved only after several days, when the situation had already been resolved.

¶11. (SBU) The Foreign Ministry, working with IOM, offered to organize a roundtable discussion with director-general level Foreign Ministry officials to discuss this issue. An all-day meeting is scheduled for August 18. POLOFF and the European Commission's anti-trafficking program officer are both scheduled to speak.

COMMENT: MOVING FORWARD... =====

¶12. (SBU) GOB officials were receptive to our concerns, and expressed a commitment to improve efforts against sexual

trafficking and to combat better the exploitation of migrant workers, though they are looking to us for assistance and guidance. We will hold a follow-up meeting in late August to discuss progress and further steps.

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